

# **Ten Common Mistakes Parents Make During the IEP Meeting**

by Matt Foley and DeAnn Hyatt-Foley

When our son was diagnosed with PDD-NOS in 1990, we found ourselves ill equipped for our new role as advocates for our son. Our first Individual Education Program (IEP) meeting was overwhelming. We found it very difficult to follow what the educators were talking about. We certainly did not know what our role was in the process. We had the expectation that the trained educators of our IEP team would make the best possible decisions for our son's education. Six months later it became abundantly clear that the decisions we had agreed to in the IEP meeting were not the best for our son's education. It was at this time that we began to educate ourselves about PDD-NOS and the Individuals with Disabilities Education Act (IDEA). In 1991 we began working with other parents to help them become informed about their child's disability and the educational laws that are in place to provide a Free Appropriate Public Education.

It is important that parents become informed and involved in their child's education. There are many sources of information and support in your state. However, the more skills you have and information you learn, the better you can advocate for your child. Over the past few years we have found that parents tend to make some common mistakes during the Individual Education Program (IEP) meeting. The following is a list of ten common mistakes.

## **1. Believing the professionals are the only experts.**

It can be very intimidating to sit at a table with several educators and professionals. Professionals/educators do bring a great deal of knowledge and experience to the table. Though most parents do not have a background or degree in education, they have a great deal of knowledge and experience regarding their child. Parents are experts in their own right, they also provide historical information and the big picture from year to year. They know what

works and does not work with their child and can be a great asset to the IEP team.

Parents also have an intuitive sense as to what is appropriate for their child. After working with parents for nine years, we are still amazed at how parents are usually intuitively correct about what will work for their child. We encourage parents to follow their hunches, if something does not sound right, check it out. Usually after some research parents will discover their hunch was correct.

## **2. Not making requests in writing.**

Any request a parent makes needs to be in writing. This includes requests for assessments, IEP meetings, correspondence, related services, etc. Written requests are important because they initiate timelines that the school district must follow in response to your request. This will also create a paper trail. When you write a letter be sure to send it certified mail. When you have a discussion by phone with a school official, write a letter that briefly outlines what you talked about. Documenting your conversations helps prevent miscommunication.

Documenting requests (i.e., teaching assistant, speech, etc.) for the IEP committee clarifies to the committee what you are requesting and allows you to use your own words (as opposed to the note taker paraphrasing your request). We encourage parents to type exactly what they think their child needs and list why they think it is educationally necessary. This helps parents think through why they are requesting a service for their child. Have the IEP committee record the written request as part of the IEP. At this point, the IEP committee has one of two choices; the committee can accept or deny the request. If the committee denies the request then they must follow the procedural safeguards in IDEA and provide written notice of why they are denying the parents' request. This method makes it difficult for an IEP committee to tell

parents "no" without thinking through the options. If the request is not written down then school district is not obligated to provide the service. Make sure you write it down.

### **3. Not being familiar with Prior Notice section of the Procedural Safeguards (34 CFR 300.503).**

All sections of the Procedural Safeguards are important to parents. This particular section gives parents some leverage during IEP meetings. Whenever parents make a request for their child in the IEP meeting the IEP committee is required under Prior Notice to provide the parents with written notice within a reasonable period of time. The notice must include the following:

(b) Content of notice . . .

1. A description of the action proposed or refused;
2. An explanation of why the agency proposes or refuses to take the action;
3. A description of any other options that the agency considered and the reasons why those options were rejected;
4. A description of each evaluation procedure, test, record or report the agency used as a basis for the proposed or refused action;
5. A description of any other factor that is relevant to the agency's proposal or refusal . .

We have found many instances where a parent requests an assessment or service only to have the IEP team tell the parent it can not be done. By making all requests in writing and by requiring the IEP team to provide Prior Notice, the parent makes the team accountable for it's decisions. This practice also takes issues out of the emotional arena allowing all team members to focus on IDEA standards.

### **4. Requesting a related service instead of an assessment that supports the need for a related service.**

Many times parents will request services such as speech, occupational therapy, physical therapy, etc. in the IEP meeting. Frequently the IEP committee will respond by stating that the student does not need the service. We recommend that parents do not request the

service but request the assessment that supports the need for the related service. For example instead of requesting speech for your child request a speech assessment.

Only a certified or licensed professional is qualified to determine if a child needs or does not need a particular related service. As in #2 list the reasons why you think an assessment is educationally necessary for your child and submit your request to the IEP committee as part of the IEP.

### **5. Accepting assessment results that do not recommend the services you think your child needs.**

Sometimes parents receive assessment results that do not accurately describe their child and/or do not recommend the amount and duration of services the parents think their child needs. Under 34 CFR 300.502 Independent Educational Evaluation (IEE) parents of a child with a disability have the right to obtain an independent evaluation at public expense if they disagree with the results of the school's assessment. When the parent requests the IEE (in writing) the school has one of two choices; they may either provide the IEE in a reasonable period of time or they may take the parents to due process. When an IEE is agreed upon, parent and school must come to an agreement as to who is qualified to assess the student. The examiner for an IEE can not be employed by the school district. Parents should request the school district policy on guidelines and qualifications for their examiners.

### **6. Allowing the assessment information to be presented for the first time at the IEP meeting.**

Parents are entitled to have the assessment information explained to them before the IEP meeting. We encourage parents to have the person who administered the assessment give the them a copy of the report and meet with them to explain the report several days before the IEP meeting. This enables the parents to think through the information before making decisions for their child. If all IEP decisions are based on the information from the

assessment, it only makes sense for the parents to be knowledgeable and informed about the assessment results in a way they can understand.

## **7. Accepting goals and objectives that are not measurable.**

Measurable goals and objectives are paramount for your child's IEP. Without measurable goals and objectives, it is difficult to determine if your child has had a successful school year. In working with parents, we have encountered many IEP goals and objectives that are not measurable.

All goals and objectives come from assessment data. Assessment has four different components: 1.) Formal assessment (i.e., WIAT, Woodcock-Johnson, Brigance), 2.) Informal assessment (i.e., classroom work), 3.) Teacher/parent observation, and 4.) Interviews. After the information has been collected about the student it is compiled into an assessment report. Recommendations on how to work with the student are listed toward the end of the report. If you receive an assessment report that does not give you recommendations for potential goals and objectives, the assessment is not complete.

After the assessment has been completed, the IEP committee determines the student's present level of performance (PLOP) and states what the student is currently able to do. The committee then develops the IEP goals and objectives. The goals state what the student is expected to accomplish by the end of the year. Objectives break the goal down into increments. For example:

### PLOP

*Based on the Brigance and classroom work Johnny is currently able to read on a fourth grade level with 90% mastery.*

### Goal

*By the end of the school year Johnny will be able to read on a fifth grade level as measured by the Brigance and classroom work with 80% mastery.*

### Objectives

*By October 1, Johnny will be able to read fourth grade, second month level with teacher*

*assistance as measured by the Brigance and classroom work with 80% mastery.*

*By January 1, with out teacher assistance Johnny will be able to read on a on a fourth grade, sixth month level as measured by the Brigance and classroom work with 80% mastery.*

A method of determining if your goals and objectives are measurable is to ask someone who is not on your IEP team to read them (i.e., a teacher, another parent, advocate, etc.). Then ask "Hypothetically, if you were to go into the classroom, would you be able to see my child working these goals and objectives?" If someone outside of your IEP team can not answer "yes", then your goals and objectives are not measurable.

## **8. Allowing placement decisions to be made before IEP goals and objectives are written.**

Many times after assessment information is discussed, the IEP committee will determine the child's placement. Goals and objectives are always written before placement is discussed. To ensure that the child is placed in the Least Restrictive Environment (LRE) the IEP committee must determine:

- \* Which of these goals and objectives can best be met in the general classroom?

- \* With the remaining goals and objectives that cannot be met in the general classroom the committee determines:

- \* Which of these goals and objectives can be best met in the general classroom with modifications and support?

This line of inquiry continues until all placement options have been decided upon for all the goals and objectives. The committee must always start with the LRE and then work toward a more restrictive environment as necessary. IDEA is very clear that the IEP committee must always consider the general education classroom as the first option for students with disabilities.

## **9. Allowing your child's IEP meeting to be rushed so the school staff can begin the next child's IEP meeting.**

This practice is particularly common at the end of the school year when educators are frantically trying to have IEP meetings for all the students who receive special education services. IEP meetings may be held one right after another. There is no problem with this practice as long as the members of the IEP team feel that all issues have been adequately discussed. Many times, however, parents feel rushed. It is important that all issues are adequately addressed before ending the IEP meeting. When the educators have not given themselves adequate time to address all relevant issues, request that the IEP team meet again at a more convenient time to further discuss your child's education.

#### **10. Not asking a lot of questions.**

It is very important to ask questions and lots of them. Educators use many terms and acronyms specific to special education. Parents may become confused when these terms are used during the IEP meeting. This can add to the frustration that a parent may already be feeling when they do not understand what is being said. It is important to ask what the terms or acronyms mean. Unless a parent has a background in special education they are not expected to know the terms and acronyms. Informed decisions cannot be made when parents do not understand what is being discussed.

The proceeding is a short list of common mistakes parents make during the IEP meetings and some suggestions for avoiding these mistakes. At some point in time we have made all the mistakes listed above. We developed the habit of debriefing after every IEP meeting to discuss our performance during the meeting. We have gradually accumulated information and developed skills and we continue to trust our intuition.

We have found that when parents apply the suggestions listed above while working with their IEP team they will see results. It is important that parents continue to accumulate information and develop skills relating to the IEP process. Most parent feel overwhelmed by the special education. Do not be discouraged in your pursuit to obtain the supports and services your child needs. We found it helpful to break the process down into small steps. When you use the suggestions listed above you will be that much closer to obtaining your child's Free Appropriate Public Education. After using each suggestion listed, pat yourself on the back for becoming an even better advocate for your child.

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